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ER-1-2528

Ref ER-1-2481

15 September 1950

OGC HAS REVIEWED.

MEMORANDUM FOR: General Counsel

SUBJECT: Draft Presidential Directive on Departure of Persons
from the United States

1. In compliance with your request of 14 September for comments on the 8 September letter from the Chairman of the Interdepartmental Committee on Internal Security, with its enclosure of 10 August, I would point out that the draft Directive seems to be all right to prevent "unauthorized disclosure" of security information, if properly interpreted.

2. I take it this ^{was drafted for} covers those people within the United States, who, after being cleared by security, might break down, or those people working on sensitive jobs who would change their minds and decide to give out official information abroad which they had obtained within the United States while under security clearance for sensitive work. Or a person might be fired from CIA, for example, and decide to go abroad to cash in on his information obtained while working here under security clearance.

3. A real security clearance, however, should allow a person not only to work on sensitive material, but also to travel where he will, as he would no more give out unauthorized information abroad than here.

4. I think, therefore, that the names to be furnished should be only the names of suspicious people whose security has broken down (under the stress and strain of life in Washington !!?). Thousands "possess information the unauthorized disclosure of which would seriously endanger the security of the nation". But if they are good security risks, they are not going to divulge that abroad or here.

5. Therefore, the broadened interpretation placed on this Directive by the Chairman of the Interdepartmental Committee on Internal Security in the second paragraph of his letter dated 8 September is most impractical, inapplicable and completely beyond the pale of any country outside the Iron Curtain. I refer to his statement that the Department of Justice "should be advised by interested government agencies of the names of persons, whether or not employed by such agencies, who are in possession of any information which the agency concerned considers to be of such a nature that the disclosure of it, either willingly or unwillingly, to unauthorized persons abroad would seriously endanger the security of the United States". (Note underlining.)

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6. If literally interpreted, that apparently would mean that each foreign service officer and the Secretary of State would have to travel with burly bodyguards on duty 24 hours a day to prevent them from unwillingly giving out, under surreptitious injections of truth serum, sensitive information which they might have.

7. There should, therefore, be some reference to security clearance in this document, such as because of their insecure nature or because of their current activities and of their possession of sensitive information the unauthorized disclosure of which

8. It is possible, of course, for almost anyone to believe almost anything about anyone. So I should say this draft Directive is much too broad unless it has a caveat about statements of Congressmen having no weight, or something like that. Another caveat should be that these departments really believe the person to be inimical and that it is based on reliable information, not just "specific information". And I think reliable information is better than authoritative information!

9. I am circulating this correspondence to the other members of COAPS for their comments, but I am sending this on to you now because I shall be away next week.

They will give you more comments



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